

August 20. 1729.

MEMORIAL for those of the Surname of
FRASER.

MR. *Roderick Mackenzie of Prestonball* having framed a Design of possessing himself of the Estate of *Lovat*, married his Son to the eldest Daughter of the late Lord *Lovat*; and that he might engage that numerous Clan of the *Frasers* to his Interest, he gave it out, that his Intention was, by such Marriage, to preserve the Name and Family of Lord *Frazer* of *Lovat*; and for that Purpose, he caused his Daughter-in-law assume the Title of *Lady Baroness of Lovat*, and her eldest Son that of *Hugh Master of Lovat*: And in his Tailzie of the Estate of *Lovat*, he bound them and their Descendents to bear the Name of *Frazer* of *Lovat*, and carry the Arms of that Family, under the Penalty of losing their Right to the Estate, if they did otherwise.

But, as his Intention went no further than to amuse them, till he should find a fit Opportunity of extirpating that Family and Clan, so as not to leave a Remnant of the *Frasers* in that Country, he reserved, by the Tailzie, a Power to himself to make such Alterations and Additions as he thought fit. Accordingly, he made a Deed, of which the under-written is a true Copy, and the Original was lately found, and is now in the Hands of *Simon Lord Frazer of Lovat*, that shews the utmost Disregard to the Family of *Frazer* of *Lovat*, and a plain, but sly Contrivance of sinking the *Frasers* into the *Mackenzies*, by encouraging and inviting his Heirs of Entail to change their Surname and Arms from *Frazer* to *Mackenzie*; and that the old Family of *Frasers* might never revive, he provides, as a Condition in their Titles to the Estate, That if they should return to, and re-assume the Surname and Arms of *Frazer*, that then they should lose their Right to the Estate.

From this it is observable, that *Prestonball* had the Name and Honours of Lord *Frazer* of *Lovat*, and the whole Family of *Frasers*, in the utmost Contempt; and that he judged whatever he could do to purchase the Estate and Honours to his own

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Family, would not be available against an Heir-male claiming; he chose, therefore, this Way of extinguishing that Name and Family.

C O P Y of a Deed by Mr. *Roderick Mackenzie* of *Prestonball*, lately found, for extinguishing the Name and Family of F R A S E R.

“ **B**E it known to all Men, by thir Presents, me Mr. *Roderick Mackenzie* of *Prestonball*, one of the Senators of the College of Justice: Forasmuchas I did make a Disposition of Tailzie of the Lands, Lordships, and others, of the Estate of *Lovat*, and other Rights thereto belonging, of Date the ninth Day of *February* One thousand seven hundred and six Years, registrate in the Register of *Tailzies*, at *Edinburgh*, the 27th Day of *February* the said Year, to and in favour of *Alexander Mackenzie* my Son, and *Hugh* Master of *Lovat*, Son to the said *Alexander Mackenzie* in Fee and Liferent, with Reservations, Conditions, and Limitations, at Length therein contained, and particularly with a Reservation to myself, at any Time in my Life, to alter the same, to sell, annailzie or dispone upon the said Lands and Rights, in whole or in part, at my Pleasure; which Disposition does contain several Limitations and Irritances, and particularly, that the said *Hugh* Master of *Lovat*, my Grandchild, and his Heirs of Tailzie, should bear the Sirname and Arms of *Frazer*, and Coat of Arms therein mentioned, in a quartered Shield, carrying three Freses or Strawberry Leaves in the first Quarter, by the Name of *Frazer*, and one Hart-head in the second Quarter, by the Name of *Mackenzie*, three Legs in the Head Quarter, by the Name of *Mackleod* of *Lews*, and three Crowns in the fourth Quarter, by the Name of *Bisset*; and that under the Penalty of losing their Right of Succession to the Lands and Rights disponed, in case they, or any of the said Heirs of Tailzie should not bear the said Sirname of *Frazer*, or alter the said Arms: yet, nevertheless, by virtue of the Power reserved to me, by my said Disposition and Tailzie, for certain Motives and
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“ good Considerations moving me, wit ye me, be thir Pre-
 “ sents, to grant full Power and Warrant to the said *Hugh Ma-*
 “ ster of *Lovat* himself, or to any of his Heirs of Tailzie, if
 “ they shall think fit, in place of the Sirname of *Frazer*, to
 “ carry the Sirname of *Mackenzie*, and to alter the said
 “ Coat of Arms, by carrying the Deer's Head in the first
 “ Quarter, and the three Freses or Strawberry Leaves
 “ only in the second Quarter, and that without any Hazard,
 “ Danger, or Prejudice of incurring the Irritances contained
 “ in the foresaid Disposition of Tailzie, which are hereby taken
 “ off, in so far as concerns the Alteration of the Name and
 “ Arms above specified; but Prejudice of the Provisions of
 “ Tailzie, and other Clauses whatsoever contained in the
 “ foresaid Disposition, and the Clauses irritant adjected to them;
 “ which are hereby no wise to be prejudged, but expressly
 “ ratified and approven: With Provision and Condition also,
 “ that the said Sirname and Arms being once altered, and re-
 “ corded so in the Books of Heraldry, or in the Lord *Lyon's*
 “ Office, that it shall not be in the Power of the said Heir of
 “ Tailzie who alters the same, or assumes the Sirname of *Mac-*
 “ *kenzie* ever thereafter to return to the Sirname of *Frazer*,
 “ and their former Bearing, under the Hazard of the Ir-
 “ ritances and Penalty contained in the foresaid Disposi-
 “ tion of Tailzie, which, *brevitatis causa*, are here holden
 “ as repeated. And for the more Security, I am content, and
 “ consents, that thir Presents be insert and registrate in the
 “ Books of Council and Session, or in the Lord *Lyon's* Register,
 “ as shall be judged most convenient; and constitutes
 “ my Procurators for
 “ that Effect. In witness whereof, I have written and subscri-
 “ bed thir Presents, at *Edinburgh*, 23d Day of *February* 1706
 “ Years, before these Witnesses, *Kenneth Mackenzie*, and *Donald*
 “ *Merchison*, my Servants.

R O D. M A C K E N Z I E.

Ken. Mackenzie Witness.

Don. Merchison Witness.



